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COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1996

Addendum

IRAQ

[6 August 1996]

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General information

1. The Republic of Iraq is situated in South-West Asia. It is bordered by Turkey to the north, the Islamic Republic of Iran to the east, the Syrian Arab Republic, Jordan and Saudi Arabia to the west and the Arabian Gulf, Kuwait and Saudi Arabia to the south.

2. Iraq covers an area of 435,052 km^2 and has a population of 16,335,199 persons according to the general population census of 1987. The population, which is growing at an annual rate of 3.1 per cent, includes 8,390,603 persons in the age group 0-19 years divided into the following categories:

0 - 1 year	566,447
5 - 9 years	2,198,386
10 - 14 years	2,468,250
15 - 19 years	1,909,111

Introduction

3. Iraq acceded to the Convention on the Rights of the Child under the terms of Act No. 3 of 1994 and the instrument of ratification was deposited with the Secretary-General of the United Nations on 15 June 1994. In accordance with note C.N. 235.1994 of 6 September 1994 from the Secretary-General, the instrument entered into effect on 15 July 1994.

4. In view of the tragic circumstances brought about by the ongoing economic embargo which was imposed on Iraq under the terms of Security Council resolution 661 (1991) of 6 August 1991, the serious consequences of which have affected all aspects of life, particularly in the case of children who constitute the most vulnerable section of the population which was most affected by those circumstances, it is difficult if not impossible to speak of the rights of the child in Iraq without mentioning this tragic situation and its devastating effects on all the rights of the child. Accordingly, this aspect is duly taken into account in the report, some sections of which are devoted to the impact of the economic embargo on all the provisions contained in the articles of the Convention on the Rights of the Child.

5. Iraq wishes to highlight these facts not solely in order to clarify the serious situation in which the children of Iraq are living but also so that the Committee on the Rights of the Child can take the requisite measures to put an end to their suffering.

6. During the preparation of the report, due regard has been shown for the guidelines contained in document CRC/C/5 of 30 October 1991, which was adopted by the Committee on the Rights of the Child at its 22nd meeting (first session) held on 15 October 1991.

I. IMPLEMENTATION OF THE ARTICLES OF THE CONVENTION

Article 1

7. In the Iraqi Civil Code, a child is defined as every human being below the age of 18 years. The Juvenile Welfare Act No. 76 of 1983 places children in the following categories, by age group:

(a) A "youngster" is a person under nine years of age;

(b) A "juvenile" is a person over 9 but under 18 years of age;

(c) A juvenile is designated as a "preadolescent" if he is over 9 but under 15 years of age;

(d) A juvenile is designated as an "adolescent" if he is over 15 but under 18 years of age.

8. It should be noted that the term "child" is not used in Iraqi legislation, which employs only the terms "youngster", "juvenile" and "adolescent". This does not affect the validity of that legislation; it merely reflects a desire for legal precision, bearing in mind the fact that the age of majority, which is set at 18 years in Iraqi law, is consistent with the Convention.

Article 2

9. Iraq is a party to the International Convention on the Elimination of All Forms of Racial Discrimination.

10. Iraqi legislation incorporates obligations relating to the elimination of racial discrimination, since article 19 of the Iraqi Constitution of 1970 stipulates that all citizens are equal and shall not be discriminated against on grounds of sex, race, language, social origin or religion. For further information, reference can be made to Iraq's reports submitted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, including its report on Iraq's experience in dealing with the minorities, which was published in document E/CN.4/Sub.2/1994/54 of the Sub-Commission's forty-sixth session.

11. Articles 29 and 30 of the Juvenile Welfare Act of 1983 deal with the responsibility of guardians towards children. The Act prescribes penalties for any guardian who, by neglecting to care for a youngster or a juvenile or in any other way, induces the said youngster or juvenile to become a vagrant or a delinquent or to deliberately commit a misdemeanour or a felony.

12. Under article 32, paragraph 2, of the above-mentioned Act, guardianship of a youngster or a juvenile may be revoked, for a period left to the discretion of the court, if the guardian is convicted of assaulting the youngster or juvenile by wounding, severely beating or deliberately harming him.

13. Under article 36 of the said Act, guardianship may be restricted by obliging the guardian to care for the juvenile in accordance with conditions laid down by the juvenile court, compliance with which is monitored by a probation officer or a social worker for a period determined by the court. If, on the basis of a report by the probation officer or the social worker or a petition from the Department of Public Prosecutions, the juvenile court finds that the guardian has failed to comply with the conditions of guardianship, it is empowered to divest him of his guardianship.

Article 3

14. The Government of Iraq has taken every possible measure, at all legislative, executive and judicial levels, to ensure the protection and care of children. It has also endeavoured to consolidate and strengthen family stability to assist in the solution of family difficulties and disputes that might prevent children from enjoying the rights set forth in the Convention, and to provide a stable life, a healthy family environment and proper upbringing through the presence of both parents, in addition to diligently promoting the status of mothers and children.

15. Our national legislation defines the duties of parents and legal guardians towards the child. They have a legal obligation to protect the interests of the child, as will be mentioned below.

16. Health-care centres and institutions, as well as orphanages, hostels for juveniles and the disabled and other institutions caring for children, have an official obligation to meet the standards laid down to fully ensure the safety, health and development of children. The State has allocated adequate budgetary resources to cover their expenses and has provided them with specialized technical staff, in addition to exercising constant supervision over their activities.

Article 4

17. The legislation and enactments in force guarantee the economic, social, cultural, educational and legal interests of children. The principal legislative instruments in this regard include the Constitution and the following enactments:

(a) The Juvenile Welfare Act No. 76 of 1983;

(b) The Child Welfare Authority Act No. 272 of 1982;

(c) The Welfare of Minors Act No. 78 of 1980;

(d) The Compulsory Education Act No. 118 of 1976, which made primary education compulsory for children, and Revolution Command Council Decree No. 102 of 1974, which provided for free education;

(e) The Labour Act No. 71 of 1987, which laid down conditions for the employment of young persons;

(f) The Social Welfare Act No. 126 of 1980;

(g) The Penal Code (Act No. 111 of 1969).

18. Our national legislation also includes other provisions relating to children, such as those set forth in the Public Health Act No. 89 of 1981, the Personal Status Act No. 26 of 1978, the Iraqi Nationality Act of 1963, as amended, and the Welfare of Gifted Persons Act.

Article 5

19. Under the legislation in force, parents enjoy total freedom to bring up their children in a proper manner. The competent courts intervene only in cases in which shortcomings are observed on the part of one or both parents or the child's guardian.

20. Chapter III of the Social Welfare Act No. 126 of 1980 stipulated that the Department of Social Welfare would establish a Directorate of State Hostels for the care of children, youngsters and juveniles suffering from family breakups due to the loss of one or both parents in order to provide them with a healthy environment, compensate them for the loss of family affection and prevent them from feeling inferior to others.

Article 6

21. In Iraq, the State is endeavouring to fully implement the provisions of the Declaration on the Rights of the Child, which was proclaimed by the General Assembly of the United Nations in 1959, in a manner consistent with the Convention on the Rights of the Child, since children constitute the nucleus of society and the base of its pyramid. The State is diligently endeavouring to provide every possible facility and means of welfare to ensure the full development of children in a proper manner from the physical, intellectual, spiritual, and moral standpoints.

22. Our national legislation affirms that every human being, regardless of his age, has a right to life and a right to exercise his natural freedom to live, work and seek knowledge. With regard to children, we wish to refer to article 11 of the Constitution, under which the State has an obligation to protect and support the family, which is the nucleus of society, and to cater for the welfare of mothers and children.

23. Article 6 of the above-mentioned Social Welfare Act stipulates that: "Children are the future of the nation and the State shall therefore cater for their welfare in various ways". Article 13 of the same Act further stipulates that: "Orphaned minors are entitled to a family welfare allowance if they do not have an income on which to live or if their income is low".

24. Section 1 of Part I of the Public Health Act No. 89 of 1981 stipulates that: "The aim of mother and child care and endeavours to promote family health is to fulfil the duty of society and the State towards mothers and children from the time when the latter are formed as a foetus. In this context, emphasis is placed on the need for periodic examinations of children in order to ensure their development, the preservation of their health and the

provision of guidance concerning the food that they should be given, in addition to the obligation to administer periodic vaccinations."

Articles 7 and 8

25. The Iraqi Nationality Act of 1963, as amended, guarantees the right of the child, from birth, to a name and nationality. It also deals with the question of children who are stateless or of unknown parentage. Under the relevant provisions of the said Act, any person is deemed to be Iraqi if he or she was:

(a) Born in or outside Iraq to a father holding Iraqi nationality;

(b) Born in Iraq to an Iraqi mother and an unknown or stateless father;

(c) Born in Iraq to unknown parents, any foundling discovered in Iraq being deemed to have been born therein failing proof to the contrary.

26. Under article 5 of the Act, the Minister is empowered to grant Iraqi nationality to any person born outside Iraq to an Iraqi mother and an unknown or stateless father if the said person opts for Iraqi nationality within one year after reaching the age of majority.

Article 9

27. Under the Islamic Shari'a and the customs and traditions prevailing in Iraqi society, divorce or separation of the spouses is regarded as abhorrent unless it is essential in order to protect the interests of the child or either of the spouses. There is nothing to prevent a judge from summoning the parents, either alone or accompanied by their children, in order to hear the statements of all the parties before considering an application for separation or divorce.

28. Part IV of the Juvenile Welfare Act of 1983 deals with the question of abuse or neglect of children by their parents in the following manner:

(a) The juvenile court is empowered to revoke the guardianship of a youngster or a juvenile when the guardian has been convicted of an offence prejudicial to public morality or ethics or of any of the offences referred to in the Prevention of Prostitution Act if the youngster or juvenile was the victim of any of those offences (art. 31 of the Act);

(b) In accordance with article 32 of the Act, on the basis of a petition from a relative of the youngster or juvenile or from the Department of Public Prosecutions, the juvenile court may revoke the guardianship of the youngster or juvenile, for a period left to the discretion of the court, in the following circumstances:

(i) If the guardian has been convicted of an offence prejudicial to public morality or ethics;

(ii) If the guardian has been convicted of assaulting the youngster or juvenile by wounding, severely beating or deliberately harming him;

(iii) If, having been convicted of a deliberate offence, the guardian is sentenced to a custodial penalty for a period of not less than three years;

(iv) If the guardian has been convicted under the terms of article 30 of the Act, which prescribes a penalty of up to one year's imprisonment or a fine of 100-500 dinars, for any guardian who induces a youngster or a juvenile to become a vagrant or a delinquent.

29. Under article 34 of the Act, before deciding to revoke the guardianship, the juvenile court must request the Office for Character Studies to conduct a social investigation and a medical and psychological examination of the youngster or juvenile in order to determine the extent to which he would be affected by the revocation of guardianship so that it can propose the most appropriate measure to be taken.

30. After considering the report of the Office for Character Studies, the juvenile court may decide on one of the following courses of action:

(i) Placement of the youngster or juvenile in the custody of another guardian in the absence of a relative;

(ii) Placement of the youngster or juvenile in a State hostel or a social welfare institution established for that purpose.

31. The Personal Status Act No. 26 of 1978, as amended, guarantees the right of a child separated from his or her parents to maintain ongoing personal relations with both parents on a regular basis and to see, from time to time, the father or mother from whom the child has been separated. An appropriate location must be provided to fulfil the child's desire to meet either parent and all the psychological and material requirements must be met, wherever possible, in order to enable that meeting to take place.

Article 10

32. Iraq is an Islamic country and its Constitution, as well as the legislation in force in its territory, are largely based on the Islamic Shari'a which calls for the establishment of healthy family relations based on family unity. The traditions, customs and humanitarian concepts prevailing in Iraqi society also emphasize this principle.

33. Iraqi law does not prevent a child from maintaining direct contact with both parents.

34. With regard to the right of the child and his or her parents to enter and leave their country, the Passports Act No. 55 of 1959, as amended most recently by Ordinance No. 119 of 1987, permits every Iraqi to travel and to be accompanied by his wife and children in accordance with article 24 of the

Constitution, which stipulates that: "No citizen shall be prevented from travelling outside the country or from returning thereto. His movements and residence inside the country shall be restricted only in the cases provided for by law".

Articles 11 and 35

35. The legislation in force does not permit the transfer of children abroad without pertinent legal reasons which ensure protection of the rights of the child and his or her family.

36. Iraq is a party to the Slavery Convention, which it ratified under the terms of Act No. 8 of 1928. It also ratified the amendments to that Convention under the terms of Acts Nos. 24 of 1950 and 25 of 1955. In addition, Iraq has acceded to the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, which it ratified under the terms of Act No. 47 of 1955. It also ratified the Convention on the Rights of the Child on 7 February 1994.

37. Iraq has diligently incorporated the provisions of these conventions in its national legislation, which imposes severe penalties on perpetrators of the offence of transferring, abducting, selling or trafficking in children. It is noteworthy that, in actual fact, these practices do not exist in Iraq which, as a matter of principle, supports all international endeavours to deal with those practices at the international level.

38. Article 422 of Part I of chapter II of the Penal Code (Act No. 111 of 1969), as amended, deals with the question of the abduction of children and prescribes a penalty of up to 15 years' imprisonment for anyone who engages in acts involving the abduction of children.

Articles 12 and 13

39. Article 26 of the Iraqi Constitution guarantees freedom of opinion, publication, association and assembly. Hence, children have a legal right to freely express their views within the family, at school or through the information media.

40. There is nothing to prevent the courts from hearing the views and testimonies of children either directly or through their official representatives. For example, under article 50 of the Juvenile Welfare Act, a juvenile court is permitted to hear anyone entitled to defend a child and article 60 of the same Act permits the court to hear defence pleas on behalf of a juvenile from his or her guardian, a relative or a representative of social institutions without the need for a written power of attorney.

41. Children can also express their views and ideas through children's programmes broadcast by radio and television stations, as well as in newspapers and magazines such as, in particular, the children's magazines Al-Mizmar and Majallati. These programmes, which are prepared in a manner that pays due regard to the ages of children, seek to highlight the latter's aptitudes, ideas and creative abilities in addition to providing entertainment for children.

Article 14

42. Iraq is a product of the positive interaction between the cultures and divinely revealed religions which appeared in its territory and helped to shape its civilization, endowing it with characteristic tolerance and respect for the cultures of other peoples. This tolerant attitude was further consolidated by Islam, as is clearly proved by the places of worship of various religions which can still be found in Iraq.

43. Iraq has diligently embodied that interaction in its Constitution and legislation, as illustrated by the text of article 25 of the Constitution, which stipulates that: "Freedom of religion and belief and freedom of religious observance are guaranteed, provided that they do not conflict with the provisions of the Constitution and legislation and are not incompatible with public order and morals". The provisions of this constitutional text have been put into effect through legislative enactments concerning religious communities, such as the Orthodox Armenian Community Administration Act No. 87 of 1963 and the Assyrian Community Administration Act No. 78 of 1971. Under these legislative enactments, children and their families have a guaranteed right to engage in religious observances and parents have absolute freedom to provide their children with direction in their religion and the practice of its observances.

44. The birth of every child is recorded in the civil status registers and the child's religion is usually recorded as the religion of his or her parents. In the event of the conversion of one or both parents to Islam, the child is duly registered as a Muslim. However, on reaching the age of majority, the child is entitled to bring proceedings before the competent court with a view to returning to his or her previous religion. A child who was registered at birth as a non-Muslim and remained in the religion of his or her non-Muslim parents is entitled to change his or her religion on reaching the age of majority. By law, a child of unknown parentage is deemed to be an Iraqi Muslim failing proof to the contrary.

45. Every child has the right to practise his or her religious observances and to visit places of worship either alone or in the company of his or her relatives or guardian. Although Iraq is an Islamic country in which Muslims constitute the majority of the population, the religious rights and freedoms of non-Muslims are recognized as can be seen, inter alia, in the educational sphere. The Islamic religion is taught as a subject in public primary and preparatory schools. The Christian religion is taught as a subject in public primary and preparatory schools in which Christians constitute 25 per cent of the total number of pupils.

Article 15

46. The above-mentioned article 26 of the Iraqi Constitution guarantees freedom of opinion, publication and association. Every child enjoys full freedom to join artistic and sports clubs and associations, in addition to the General Federation of Iraqi Youth which has a membership of more than 1.5 million children under 18 years of age.

47. No restrictions are placed on the exercise of such activities unless they involve misguided practices that are detrimental to the interests and safety of the child or to the public interests of society and the State.

Article 16

48. The national legislation and general regulations of the State protect members of society, whether adults or children, from any material or moral harm that they might suffer or that might disrupt their lives as a result of a deliberate act which is punishable by law.

49. The Juvenile Welfare Act No. 76 of 1983 guarantees the welfare of children, as well as their protection from any harm, even if caused by the child's parents. In this connection, reference can be made, for example, to the text of articles 29 and 30 of the Act, as outlined in our comments on article 2 (para. 11 of this report).

50. The confidentiality and freedom of correspondence are guaranteed by article 23 of the Constitution, which stipulates that: "Postal, telegraphic and telephone communications shall be protected and shall not be disclosed unless such is required in the interests of justice and security in accordance with the limits and procedures specified by law". This applies to all members of society, whether children or adults.

51. Article 22 (c) of the Constitution further stipulates that homes are inviolable and may be entered or searched only in accordance with the legally specified procedures.

Article 17

52. The Ministry of Culture and Information plays an educative role in regard to children, in addition to its task of promoting the culture of children, acquainting them with various aspects of life, developing their intellectual abilities, providing full scope for their talents and giving attention to other educational, health-related and recreational aspects.

53. In this connection, the Ministry of Information, acting through its audiovisual media, produces special programmes for children, which are supervised by specialists in the field of education and children's affairs. The most noteworthy of these programmes are the following:

(a) Television programmes:

The "Junior Television" programme	Weekly
The "Junior Studio" programme	Weekly
The "Excursion among Friends" programme	Weekly
The "Family and Children" programme	Weekly
The "Children's Cinema" programme	Weekly
The "Joyful Charabanc" programme	Weekly
The "Springs of Knowledge" programme, which is designed to improve the linguistic standards of children and familiarize them with public life	Weekly

The "Open Sesame" programme, which is also designed to improve the linguistic standards of children	Daily
The "Aladdin's Library" programme	
The "Stories from around the World" programme	
The "Cartoon Film" programme	

Paediatric guidance and advice is provided to remind mothers of the schedule for children's vaccinations to avoid diseases, as well as the importance of proper nutrition and milk for children, etc.

(b) Radio programmes:

The "Children's World" programme	Weekly
The "Younger Generation en Route" programme	Weekly

54. The Ministry of Culture and Information supervises the Children's Music and Ballet School and the General Federation of Iraqi Youth also has instrumental and vocal musical troupes and a children's theatre.

55. The television stations in the Autonomous Region (Iraqi Kurdistan) broadcast in the Kurdish language and Kirkuk television station broadcasts programmes in the Turkoman language.

56. As already indicated, children's television and radio programmes are submitted to experts for appraisal and censorship in order to exclude any programmes or scenes that might be detrimental to the interests of the child.

57. Iraq has concluded information, cultural and artistic agreements with Arab and international institutions for the exchange of programmes intended for children, which must be consistent with the guidelines designed to ensure the proper upbringing and conduct of children in a manner conducive to their well-being.

Article 18

58. Under Iraqi law, parents and legal guardians bear a high degree of responsibility for the care and upbringing of their children until the latter reach the age of majority. In the event of negligence on the part of any of them, the court looks into that matter in order to determine its seriousness and is empowered to hand down judgements that might even remove the child from their custody (see our comments on art. 9 in paras. 29-31 above). The juvenile court may decide to replace the guardian or change, modify, or revoke a measure that it had previously ordered if such is in the interests of society or of the youngster or juvenile concerned (art. 37 of the Juvenile Welfare Act).

59. With regard to supervision of the conduct of a juvenile who has committed an offence, article 87 of the Juvenile Welfare Act makes provision for the appointment of a probation officer, as a remedial measure, so that the juvenile can be placed in his or her natural family environment or with a foster family if the juvenile's own family is unfit to shoulder the task of reform.

60. Under article 90 of the above-mentioned Act, the juvenile's guardian has an obligation to cooperate with the probation officer in implementing the probation order in a manner conducive to the interests of the juvenile and must inform the probation officer of any change in the juvenile's conduct.

61. The State plays an important role in helping parents or legal guardians to rear the child in a proper manner. The court normally takes the child's interests into account when considering a petition for separation by either of the parents and provides them with counselling in this regard. If necessary, the juvenile court also monitors the child's conduct and proper development within his or her family or in any of the juvenile welfare institutions.

62. The State directly supervises child-care facilities, such as juvenile welfare institutions, orphanages and centres for the care of mothers, children and disabled persons, to which it allocates sufficient funds to ensure their ongoing operation. The State is also endeavouring to improve the performance of these facilities in a manner consistent with current modern standards. These facilities are open to all children in need thereof.

63. The Social Welfare Act No. 126 of 1980 makes provision for the extension of appropriate assistance to parents and legal guardians in destitute or low-income families in order to enable them to assume their responsibilities in regard to the upbringing of children.

Article 19

64. The Juvenile Welfare Act addresses all the various types of harm that might be caused to children and grants the latter adequate protection until they reach the age of majority, as already indicated in our comments on article 18. The competent court is empowered to revoke the guardianship of a child if his or her guardian has been convicted of an offence prejudicial to morality or ethics (art. 31 of the Act) or of any of the offences specified in the Prevention of Prostitution Act if the child was the victim of such offences.

65. Under the terms of article 9 of the above-mentioned Act, juvenile welfare institutions and rehabilitation schools provide children with full care under State supervision, including social education programmes to mitigate the material or moral harm suffered by the children with a view to their rehabilitation and eventual reintegration in society.

Article 20

66. As already indicated, the State has a responsibility towards children whenever their interests or development are endangered within their families or elsewhere. When a child suffers harm, the competent court determines the form of healthy environment needed to facilitate the child's proper development and upbringing, even if this necessitates the child's placement in a State institution or in the custody of a relative, if the child has a relative (art. 26 of the Juvenile Welfare Act).

67. Under the terms of the Act, the juvenile court is empowered to place a young orphaned child or a child of unknown parentage in the custody of a

couple who have submitted a joint application to that end. However, the court must first ascertain that the couple meet the legal conditions, that they are capable of supporting and rearing the child and that they are well-intentioned (art. 39 of the Juvenile Welfare Act).

68. If a vagrant child is mentally retarded, the juvenile court must order the child's placement in a health or social institution established for that purpose (art. 26, para. 4, of the Juvenile Welfare Act).

69. If the child appears to have no relative and if a person of good conduct and reputation and of the same nationality and religion as the child applies for his or her custody with a view to ensuring the child's proper upbringing, education and good conduct under the terms of an appropriate financial undertaking, the court must monitor the said person's fulfilment of his undertaking through a probation officer or social worker for a period of time that it deems appropriate (art. 27, para. 2, of the above-mentioned Act).

70. The State caters for the welfare of children suffering from family breakups, the loss of a parent or family problems (such as the guardian's disablement, arrest, detention, imprisonment or loss of legal capacity or the fact that the child is of unknown parentage) by providing them with a healthy environment to compensate them for their loss of family affection and prevent them from feeling in any way inferior to others. In such cases, their needs in regard to accommodation, clothing, food and pocket money are met by the State free of charge in accordance with the provisions of Chapter III of the above-mentioned Social Welfare Act and the provisions of the State Hostels Ordinance No. 5 of 1986.

71. Children benefiting from the services of juvenile welfare institutions, orphanages and centres for the disabled are enrolled by the State in schools and are subject to educational, health and social supervision. In this way, the State has considerably helped to prevent cases of vagrancy, family disintegration, delinquency and under-age employment, all of which have adverse effects on children.

Article 21

72. The Government of the Republic of Iraq wishes to remind the Committee on the Rights of the Child that Iraq is a Muslim country, the official religion of the State being Islam. Consequently, the legislation in force does not permit the adoption system, which conflicts with the Islamic Shari'a. Iraqi law applies the system of child fostering instead of adoption.

73. The Juvenile Welfare Act of 1983 deals with the question of fostering (placement of the child in the care of foster parents) in the following manner:

(a) A married couple may submit a joint application to the juvenile court if they wish to foster a young orphan or a child of unknown parentage (art. 39);

(b) The juvenile court is empowered to approve the application, on a provisional basis, for a trial period of six months, which may be extended for

a further six months, during which the court sends a social worker to the couple's home at least once a month to verify their desire to foster and care for the child. A detailed report in this connection is submitted to the juvenile court (art. 40);

(c) Articles 41, 42 and 43 of the Act set forth the conditions for the fostering of children and the protection of their interests. Under the terms of article 43, paragraph 2, of the Act, in the event of the death of one or both foster parents, the child must be bequeathed a legacy equivalent to the lowest share inherited by any other heir but not exceeding one third of the estate. This is an obligation which must be honoured;

(d) Under Iraqi law, a child can be fostered only by an Iraqi couple (art. 39 of the Act).

Article 22

74. The Political Refugees Act No. 51 of 1971 regulates the status of persons who seek refuge in Iraq without specifying their age group. Article 1, paragraph 3, of the Act defines a refugee as "any person who seeks refuge in the Republic of Iraq for political or military reasons". This definition covers all persons without specifying their age group or sex, provided that they meet the conditions for refugee status set forth in article 3 of the Act and observe the legal procedures for asylum-seekers as laid down in article 2 thereof. Under the terms of the Act, the State provides every possible facility for refugees, including children.

75. The Government of the Republic of Iraq is cooperating with United Nations agencies, including UNHCR, and the International Committee of the Red Cross in order to provide refugees with the requisite protection and care and facilitate their residence in the country or their departure to any other country to which they might wish to travel.

76. During the war of aggression that the Islamic Republic of Iran launched against Iraq from 1980 to 1988, Iraq provided special care for Iranian prisoners of war under 18 years of age, accommodated them in premises in which health and educational services were available and permitted the information media to visit them. All those young prisoners were eventually released.

77. Under the terms of the Revolution Command Council Decree of 2 May 1982, the Iranian child prisoners who had been captured by Iraqi forces in battle were returned to their families through the ICRC without being exchanged for Iraqi prisoners.

Article 23

78. Concern for the welfare of disabled children forms part of the State's comprehensive concern for child care. This task has been assigned to the Social Welfare Department at the Ministry of Labour and Social Affairs, which receives disabled children at its hostels and centres where they are provided with free care and also with training for those of them who are capable of practising some trades and professions so that they can join the labour force. In addition, they are provided with other services, such as educational,

sports and recreational facilities and programmes. In this connection, we wish to point out that, under Chapter IV of the said Social Welfare Act, every disabled child is entitled to care and rehabilitation free of charge.

79. The principal State centres for the care of the disabled are as follows:

(a) The Disability Diagnostic Centre, where disabled children are examined and diagnosed in order to classify them and determine their residual capabilities, after which they are distributed among appropriate institutes for the disabled where they are provided with aids to reduce the effects of their disability. Appropriate recommendations are made in each case;

(b) The Physical Disability Centre, which cares for physically disabled children by establishing and running physical, auditory and visual disability institutes, as well as vocational training institutes for those over 14 years of age;

(c) The Mental Disability Centre, which cares for mentally disabled children by establishing and running mental disability institutes, which also provide rehabilitation services.

80. The Ministry concerned, in collaboration with the Ministry of Health, is diligently endeavouring to provide medical staff and therapeutic requisites and is also seeking to promote external cooperation. In fact, Iraq has concluded agreements that regulate its relations with international organizations, as well as cooperation with them in the implementation of joint programmes and the training of staff working in this field. Iraq is also cooperating with several States that are highly experienced in the treatment of the disabled with a view to improving and developing the capabilities of the national staff working in institutions for the care of the disabled. In 1994, there were 56 such institutions in Iraq.

81. The State has established a National Scientific Committee on Pedagogy and Special Education, which provides technical assistance in regard to diagnosis, procedures, educational aids and staff to train mentally retarded children or children suffering from auditory or visual defects.

Article 24

82. In Iraq, children enjoy special care on the part of the State, since child health is directly linked to the health of society and the health sector constitutes part of the country's socio-economic development.

83. The main responsibility for child health care is vested in the Ministry of Health which, through its institutions, is currently making exceptional endeavours to ensure health-care coverage for the largest possible number of children in view of the serious deterioration in children's health due to the ongoing unjust economic embargo on Iraq which, by the beginning of the last quarter of 1995, had led to the deaths of 646,194 children. This will be described in detail in the section devoted to the embargo.

84. Children enjoy health protection under the terms of the Health Care Act No. 126 of 1980 and the Public Health Act No. 89 of 1981, Part I of which

deals with basic mother and child-care services. In fact, articles 6 and 7 of the Public Health Act stipulate that society and the State have a duty towards mothers and children from the time when the latter are formed as a foetus and this duty should be fulfilled through the establishment of family health and maternal and child health-care centres throughout the country.

85. In 1985, the Ministry of Health began the implementation of a five-year plan to reduce the child mortality rate. This was accompanied by a campaign, conducted in collaboration with the General Federation of Iraqi Women, to educate and stimulate the awareness of mothers with a view to preserving the lives and health of mothers and children. The plan focused on the following:

(a) The vaccination programme;

(b) Control of acute respiratory diseases in children;

(c) Prevention and treatment of diarrhoea;

(d) Maternal and child-care services;

(e) Environmental sanitation and protection.

This campaign resulted in a reduction in the infant mortality rate from 72 deaths per thousand live births in 1984 to 25 deaths per thousand live births in 1990.

86. With regard to the provision of health care and assistance to combat diseases and malnutrition, by 1990 an increase in the coverage of child health care had been achieved, such care being made available to 90.2 per cent of infants and children under five years of age.

87. With regard to maternal care, it should be noted that Iraq has adopted the concepts of primary health care since the Almaty Declaration of 1978. It has established maternal and child-care centres to examine and treat pregnant women, women of child-bearing age and women who have recently given birth, as well as infants and children under five years of age. The services provided at these centres are recorded in special registers and forms.

88. The following services are provided for pregnant women:

(a) In 1994, 73 per cent of pregnant women received antenatal care and 40 per cent of pregnant women requested admission to health centres for purposes of delivery;

(b) In 1994, health-care services were provided for 79 per cent of infants and 43 per cent of children from one to four years of age.

89. The special measures taken by the State to reduce the number of stillbirths include premarital medical examinations, periodic medical examinations of expectant mothers, the provision of health care during childbirth, delivery by trained medical personnel, the provision of wards for newborn (premature) children, the training of private midwives to ensure

hygienic and safe deliveries, and the implementation of preventive measures, as and when necessary, to ensure safe deliveries in delivery and operating rooms.

90. The special measures taken by the Government to prevent endemic diseases include an extension of the child vaccination programme, the administration of special vaccinations (against meningitis and typhoid, for example) whenever required, and the isolation of affected patients. There are also special programmes to combat endemic diseases (bilharzia, malaria and tuberculosis).

91. The Health Guidance Department at the Ministry of Health, acting in collaboration with the information media and popular organizations such as, in particular, the General Federation of Iraqi Women, conducts public awareness, guidance and preventive health campaigns, the objectives of which include:

(a) The stimulation of full public awareness, through the audiovisual information media, with a view to reducing the increasing child mortality rates, combating the diseases that cause them, encouraging natural breast-feeding, monitoring the growth of children and treating life-threatening cases of diarrhoea through oral rehydration;

(b) The holding of specialized courses and workshops, in collaboration with the General Federation of Iraqi Women, for female health advisers and senior field staff in rural areas so that they can provide counselling and care for mothers and children (2,864 such courses have been held and attended by 49,122 trainees);

(c) The distribution of posters, folders and explanatory aids on the subject of maternal and child health, breast-feeding, malnutrition and environmental sanitation. Informative seminars and lectures have also been organized on the subject of health care in rural areas.

92. Iraq has acceded to numerous international conventions concerning public health, particularly those relating to the protection of mothers and children (such as the ILO Maternity Protection Convention No. 103 of 1952).

93. Iraq is cooperating with WHO, UNICEF, the ICRC and other similar regional and international organizations with a view to ensuring better health care for children.

Article 25

94. This question has already been covered in paragraphs 63, 64, 65 and 70 above concerning the role of the State in caring for children placed in juvenile welfare institutions, orphanages and centres for the disabled, etc.

Articles 26 and 27

95. Under our national legislation, the parent(s) or legal guardians of the child have an obligation to ensure, within the limits of their means, adequate living conditions and a proper upbringing and education for the child and also to monitor the latter's social behaviour. In the event of negligence in this

regard, the courts are empowered to intervene and may even decide to remove the child from their custody (arts. 31-38 of the Juvenile Welfare Act).

96. Under Iraqi law, the child has a right to be maintained by his or her parents. In this connection, an allowance in respect of every child is paid to the father or mother in order to safeguard the material interests of the child. Under the Minors Welfare Act No. 78 of 1981, a monthly allowance is also payable to minors not benefiting from a pension, on the understanding that the said allowance must be paid to the child's guardian or trustee or the person holding custody of the child.

97. The Social Welfare Act No. 126 of 1980 provides for the payment of State allowances to the following categories of persons:

(i) Widows and divorcees supporting one or more minor or disabled children;

(ii) Orphaned minors;

(iii) Persons who are totally incapacitated as a result of illness or old age;

(iv) The families of prison inmates;

(v) Married students who have no legal provider or other source of livelihood.

98. Since the imposition of the economic embargo in August 1990, Iraq has adopted the ration card system under which every family receives a quantity of flour, rice, sugar, cooking oil and tea at symbolic prices, which covers about 50 per cent of its normal nutritional requirements. In fact, every individual receives about 15.3 kg per month, which constitutes 61 per cent of the quantity that he or she obtained before the embargo. In addition, State institutions supply quantities of locally produced commodities and clothing to State-run associations and markets so that, in turn, they can sell them to citizens at prices that are appropriate, in comparison with market prices, in order to help parents to clothe their children.

99. Owing to the ongoing embargo, a social solidarity system has been established to help persons with a modest or low income to offset the impact of the embargo. This system is financed by the State and voluntary contributions.

Article 28

100. In keeping with the principle that, in any society, education is a basic requirement for human development and socio-economic change, Iraq attaches primary importance to education and has made it one of the priorities in its national development plans and strategies, regarding it as the key to overall development. Hence, special concern is shown for education in general, as can be seen from the fact that all academic levels, from the kindergarten to higher university studies, are covered by the decrees which provided for free education and made primary education compulsory. The State has an obligation

to provide all the necessary facilities, such as buildings and educational requisites, and to ensure an appropriate environment for the physical, intellectual and social development of children.

101. The principal national legal texts in force in regard to education are as follows:

(a) Article 27 of the Constitution stipulates that: "The State has an obligation to combat illiteracy and shall safeguard the right to free education at the various primary, secondary and university levels for all citizens. The State shall endeavour to make primary education compulsory, to expand vocational and technical education in urban and rural areas and, in particular, to encourage night-school education";

(b) Article 1 of the Compulsory Education Act No. 118 of 1976 stipulates that: "Education at the primary level shall be free and compulsory for all children who have reached the age of six years at the beginning of the academic year";

(c) Article 5 of the Secondary Schools Ordinance No. 1 of 1977 emphasizes the need to achieve equality of opportunity, in accordance with the secondary education plan, when establishing secondary schools;

(d) Article 3 of the Kindergartens Ordinance No. 11 of 1978 makes provision for the opening of kindergartens to receive able-bodied children of varying abilities and aptitudes. Article 32 of the same Ordinance calls upon the Ministry of Education to formulate plans for the establishment of more kindergartens and to lay down priorities for their geographical distribution in such a way as to cover rural areas and categories of children who complain of cultural and social deprivation;

(e) Article 2 of the Primary Schools Ordinance No. 30 of 1978 stipulates that the aim of primary education, in accordance with the provisions of the said Ordinance, is to enable all Iraqi children over six years of age to develop the physical, intellectual, moral and spiritual aspects of their personalities.

102. In 1978, Iraq conducted a comprehensive national anti-illiteracy campaign in which considerable human and material resources were employed with a view to eradicating illiteracy as soon as possible. A total of 2,212,630 male and female citizens in the age group 15 to 45 years (i.e. including children between the ages of 15 and 18) were enrolled at centres for the eradication of illiteracy. The campaign achieved important positive results and was commended by UNESCO, which awarded Iraq the Krupskaya prize.

103. Educational institutions have been encouraged to provide practical training in the handicraft workshops that have been established at primary schools and in the vocational education sections of some vocational schools and the basic education schools (which children attend for nine years) have been provided with the equipment needed to hold vocational education courses.

104. Iraq has adopted the system of educational advisers at secondary schools and grade advisers at primary schools in order to provide educational

counselling and guidance. For appraisal and guidance purposes, every student also has a school record card containing details of his or her marital status, physical condition, state of health, interests, aptitudes, academic standard and special problems.

105. With regard to measures to encourage regular attendance at schools and reduce drop-out rates, the aim of Iraq's education policy is as follows:

(a) To improve the country's standard of education through the ongoing development of curricula, textbooks and educational aids, as well as student grading and examinations and teacher training;

(b) To use sound educational methods to guide and deal with students in accordance with school regulations;

(c) To ensure participation by guardians, particularly through parent-teacher councils and meetings with the authorities concerned, in order to deal with cases of irregular attendance by students.

106. With regard to the endeavours that are being made to ensure that school discipline is administered in a manner consistent with the child's human dignity, we wish to draw attention to the provisions of the school regulations which stipulate, in particular, that: "The guidance of children towards proper patterns of conduct shall be based on respect for the child's personality, an understanding of his or her characteristics, concern for the moral values and humanitarian principles that should be instilled into children, the fostering of a spirit of cooperation, mutual affection and collective endeavour among them, adoption of an approach based on counselling and guidance and abstention from the infliction of corporal punishment".

107. Iraq has concluded bilateral cultural and educational cooperation agreements with many countries of the world and, until 1990, used to send thousands of students every year to complete their higher and specialized studies at universities in developed countries. Iraq also participates in international conferences, symposia and seminars on the subject of education and is endeavouring to modernize and develop educational methods and curricula. In addition, Iraq hosts educational and cultural delegations with a view to promoting exchanges of expertise among States. In fact, external collaboration in the field of education constitutes an important component of Iraq's education policy.

108. The following statistics will give an idea of the numbers of students at Iraqi schools:

In the academic year 1993/94, 348,360 male and female students graduated at the primary level, 176,087 at the third intermediate grade and 46,314 at the sixth preparatory grade.

In the academic year 1993/94, the numbers of male and female students enrolled at all levels (first, second and third) of vocational education amounted to 2,277 at agricultural schools, 36,755 at commercial schools and 73,673 at industrial schools, i.e. a total of 112,705 students in this branch of education.

Article 29

109. Article 29 of the Iraqi Constitution stipulates that the aim of education is to improve and develop the general standard of education, promote scientific thinking, kindle a spirit of research and meet the requirements of socio-economic development and modernization programmes. Accordingly, the education system in Iraq emphasizes the need to develop an integrated personality from the intellectual, emotional and practical standpoints and to adopt these aspects as a basis for the formulation of the academic curriculum in such a way as to ensure the development of the child's knowledge, skills and aptitudes.

110. The humanitarian aim of the education system stresses the need for an open-minded attitude towards peoples and for closer cooperation and mutual understanding among them for the benefit of mankind and of peace based on right, justice, equality and joint interests through receptivity towards, and understanding of, humanitarian concepts. The education system also emphasizes the importance of equality between the sexes in regard to educational opportunities, as well as recognition of the cultural rights of ethnic minorities, in keeping with the principles of educational democracy and equality of opportunity.

Article 30

111. As already indicated, education in Iraq is free and available to all Iraqi citizens. The system that is being applied recognizes the principle of equality among all students, who compete solely on the basis of their academic qualifications. When enrolling at schools, institutes and universities, no student is asked about the religious creed or confession, ethnic group or social class to which he or she belongs.

112. In Iraq, education policy is based on the cultural and humanitarian concepts embodied in international declarations and conventions, particularly the UNESCO Convention against Discrimination in Education, to which Iraq is a party.

113. The educational curricula, and especially the subjects of national education, history, geography and literature, adopt a civilized and humanitarian approach that opposes racial discrimination and seeks to achieve equality among students and eliminate disparities between minorities and religious communities. For example, the Kurdish school textbooks contain references to Arab-Kurdish brotherhood and equality among all members of the national community.

114. The Iraqi Constitution and the subsequent legislation in force guarantee the cultural rights of minorities. Article 5 of the Constitution stipulates that the Iraqi people consists of two main ethnic groups: Arabs and Kurds. The Constitution recognizes the ethnic rights of the Kurdish people, as well as the legitimate rights of the other minorities.

115. Accordingly, since the July 1968 revolution, Iraq has recognized the rights of its minorities, including their cultural and educational rights, as can be seen, inter alia, from the following enactments:

(a) The Iraqi Kurdistan Regional Autonomy Act No. 33 of 1974, which recognized all the political, cultural and educational rights of the Kurdish minority in the region of Iraqi Kurdistan;

(b) Revolution Command Council Decree No. 89 of 1970, which recognized the cultural rights of the Turkoman minority in Iraq;

(c) Revolution Command Council Decree No. 251 of 1973, which recognized the cultural rights of the Syriac-speaking minorities (Assyrians, Chaldeans and members of the East Syrian Church).

116. Iraq's national legislation guarantees the full right of the minorities to use their languages and establish their own educational centres, as already indicated in our comments on article 14. These legislative enactments apply to all citizens, regardless of their age.

Article 31

117. As part of its concern for child welfare, the State encourages children to benefit from their leisure time by participating in sports clubs, as well as music, dance and ballet schools and artistic exhibitions, in order to manifest their talents and creative abilities.

118. The General Federation of Iraqi Youth, which has about 1.5 million members under 18 years of age, makes a considerable contribution in this field. Its plan of activities for the period 1990-1995 included a wide variety of projects, such as the organization of scout camps, exhibitions, theatrical presentations, cultural seminars and courses, festivals, cultural, literary, sports and artistic competitions, campaigns to promote student productivity, recreational excursions and participation in bilateral and international activities organized by children.

Article 32

119. Iraq is a party to the Minimum Age Convention No. 138 of 1973.

120. Articles 90 to 97 of the Labour Act No. 71 of 1987 regulate the employment of young persons, as can be seen from the following:

(a) Article 90 prohibits the employment of juveniles under 18 years of age in types of work that cause contagious occupational diseases or exposure to hazardous toxic substances, as well as work which, due to its nature or the manner and circumstances in which it is performed, poses a threat to the lives, morality or health of the persons engaged therein, and work that is performed on board ship by stokers and assistant stokers;

(b) Article 91 sets the minimum age for the employment of children at 15 years for daytime work that is neither strenuous nor harmful. It permits the employment of juveniles over 17 years of age in types of day, night and overtime work other than those specified in article 90 above;

(c) Article 92 sets the maximum working hours of juveniles under 16 years of age at seven hours per day, interspersed with one or more rest

periods totalling not less than one hour and which must be scheduled in such a way as to ensure that the period of uninterrupted work does not exceed four hours;

(d) Under the terms of article 93 of the Act, a juvenile is entitled to 30 days' annual leave with pay every year.

The other articles lay down the conditions concerning physical and health-related fitness for employment and prescribe penalties for the employment of children under the legally specified age, as well as compensation in the event of injury.

121. The legislation and enactments in force prohibit the phenomenon of begging among children and adults, particularly cases of begging associated with an economic activity such as the sale of newspapers, shoe polishing or the sale of cigarettes and certain types of foodstuffs, etc. A child is deemed to be begging if he is found in a public place simulating affliction with an injury or a disability or if he uses deception as a means to win public sympathy with a view to begging. In such cases, legal action is taken against his parents or guardian or he may be placed in a State-run juvenile rehabilitation centre if the child's interests so require.

Article 33

122. In general, Iraqi legislation prescribes severe penalties, including life imprisonment or execution in extreme cases, for the sale or transportation of, or trafficking in, any type of narcotic drugs.

123. The competent authorities are doing their utmost to keep Iraq off the list of States suffering from the phenomenon of the widespread use of narcotic drugs and Iraq is currently among the States that are clean in this regard.

124. If a juvenile happened to use, transport or traffic in narcotic drugs, the competent court would look into the matter and hand down a judgement appropriate to the juvenile's age. In this connection article 76, paragraph 2, of the Juvenile Welfare Act stipulates that: "If a preadolescent commits a felony punishable by life imprisonment or death, the juvenile court must commute the legally prescribed penalty to placement in a rehabilitation school for preadolescents for a period of five years".

Article 34

125. Further to our comments in paragraphs 64 and 65 of this report, Iraqi legislation also prohibits practice of the acts referred to in article 34 of the Convention and protects children from all forms of sexual exploitation.

126. The Penal Code (Act No. 111 of 1969) and the Prevention of Prostitution Act of 1988 prescribe severe penalties for anyone who engages in such practices, including sexual abuse of children. Article 5, paragraph 2, of the Prevention of Prostitution Act No. 8 of 1988 stipulates that: "If a person under 18 years of age is subjected to an indecent act through deception,

coercion, force or threat, the competent court shall impose a penalty of imprisonment on the person who committed the said act and shall award fair compensation to the victim".

Article 36

127. Under the national legislation mentioned in our comments on article 4 in this report, the child is protected from all forms of exploitation that are prejudicial to his or her welfare.

128. Educational, social and health institutions, as well as juvenile and child-welfare hostels, recreational centres, sports clubs and the like, provide services for children in order to fulfil their wishes and ensure their full and proper development.

Articles 37 and 40

129. The legislation in force, and particularly the Juvenile Welfare Act No. 76 of 1983, regulate matters involving juvenile delinquency, as well as the judgement, treatment and social rehabilitation of juvenile delinquents, in a manner consistent with moral values and principles. The said Act calls for the early detection of juveniles who are prone to delinquency in order to rectify their behaviour before they become delinquent and to determine the guardian's responsibility in respect of any dereliction of his duties towards the youngster, child or juvenile or towards society as a whole.

130. With regard to cruel treatment or torture of children, we wish to point out that article 22 (a) of the Constitution stipulates that: "Human dignity must be safeguarded. The practice of any form of torture is prohibited."

131. The penal legislation, including articles 332 and 333 of the Penal Code (Act No. 111 of 1969), as amended, and the Code of Criminal Procedure (Act No. 23 of 1971), as amended, prohibits the use of physical or mental coercion during the conduct of investigations. This applies to adults and children alike, no age limits being specified.

132. If a preadolescent commits a felony punishable by life imprisonment or death, the juvenile court looks into the matter and, instead of the prescribed penalty, orders his placement in a rehabilitation school for preadolescents for a period of five years.

133. Article 79 of the Penal Code stipulates that: "The death sentence shall not be imposed on a person who, at the time of his commission of the offence, was over 18 but under 20 years of age. In such a case capital punishment shall be commuted to life imprisonment".

134. Under article 66 of the above-mentioned Code, a person who, at the time of his commission of an offence, was over 17 but under 18 years of age is designated as a "juvenile". If he was under 15 years of age he is designated as a "preadolescent" and, if he was over 15 but under 18 years of age, he is designated as an "adolescent". In this way, articles 67 to 78 of the Code prescribe penalties for juveniles, preadolescents and adolescents, in the

event of their commission of a contravention or an offence, in a manner appropriate to their age and the stage of their mental development.

135. Iraqi law and legislation ensure the welfare of children, safeguard their dignity, accord them special treatment if they infringe the law, and endeavour to facilitate their rehabilitation and social reintegration in a proper manner. The legislature has taken care to ensure that less severe measures are taken against children or juveniles when they are detained and brought to trial for the commission of contraventions and offences, and they also enjoy the right of defence, as can be seen from the following:

136. A juvenile cannot be detained for the commission of a contravention, although he may be detained for the commission of a misdemeanour or a felony, if no one can be found to stand bail for him, for purposes of an examination and study of his character.

137. A juvenile accused of a felony punishable by death may be detained if he is over 14 years of age. In such a case the juvenile is detained at a surveillance centre and, in areas in which such centres do not exist, measures are taken to ensure that the juvenile is separated from adult detainees.

138. Immediately after their arrest, juveniles are placed in the custody of the juvenile police or, in places where such police do not exist, in the custody of ordinary police stations so that they can be brought before the examining magistrate or the juvenile court.

139. Criminal proceedings cannot be brought against a person who was under nine years of age at the time of his commission of an offence. If a youngster commits a legally punishable act, the court must order his delivery into the custody of his guardian, who has an obligation to implement the court's recommendations concerning maintenance of the youngster's good conduct under the terms of an undertaking backed by a financial guarantee.

140. Juveniles are tried in camera in the presence of their guardian or a relative and any person concerned with juvenile affairs whose presence the court might deem appropriate. The juvenile court may conduct the trial proceedings in the absence of the juvenile in cases involving offences prejudicial to ethics and public morals, provided that the trial is attended by a person authorized to represent the juvenile. However, the juvenile must appear in court to be informed of the measure taken against him.

141. The juvenile court may agree to a juvenile being defended by his guardian, a relative or a representative of a social institution without the need for a written power of attorney.

142. The juvenile court is presided over by a magistrate holding a rank not lower than grade 3 and includes two other members who must be specialized in criminal law or other fields relating to juvenile affairs and who must have not less than five years' experience. The court hears cases involving felonies and, acting in its capacity as a review court, considers the findings of the examining magistrate in accordance with the provisions of the above-mentioned Juvenile Welfare Act.

143. The regular and alternate president and members of the juvenile court are appointed by the Minister of Justice on the basis of a proposal by the President of the Court of Appeal.

144. A juvenile court of inquiry may be formed by order of the Minister of Justice at locations designated by him.

145. The court sends the case file containing its judgement in cases involving felonies to the Court of Cassation within 15 days from the date of its judgement so that it can be reviewed in accordance with the law. Appeals against other judgements and decisions may be lodged with the Court of Cassation within 30 days from the day following the date on which they were handed down.

Article 38

146. The Republic of Iraq wishes to remind the Committee on the Rights of the Child that Iraq, being a member of the United Nations, is committed to the latter's Charter and therefore regards war as an internationally prohibited act. It expressed this view by signing the international conventions which prohibit war and affirm the need to settle disputes by peaceful means.

147. Iraq wishes to emphasize that war constitutes a flagrant violation of the human right to life. Our country takes a comprehensive view of the rules of international law, believing that a violation of any of those rules leads to a series of major violations of all the principles laid down in the Charter of the United Nations. Iraq has acceded to many international conventions in this regard, including the four Geneva Conventions of 1949.

148. The Iraqi armed forces have taken precautionary measures and measures to ensure that children are not exposed to any harm during armed conflicts. Iraq expressed these commitments during the Iraq-Iran war of 1980-1988 when it presented to the local and international information media Iranian children whom Iran had conscripted to take part in military operations against Iraq. Iraq accorded those child prisoners special care and accommodated them at locations appropriate to their ages. It treated them well, provided them with medical and educational services for those who wished to complete their studies and gave priority to the release of child prisoners of war, under the supervision of the ICRC, without reciprocity.

149. The precautionary measures that preceded the armed clashes during the war with Iran reflected the extent of Iraq's commitment to and respect for international humanitarian law in order to protect the civilian population, particularly children. The inhabitants of the villages and houses scattered throughout the border areas that were the scene of armed clashes were evacuated and the State provided vehicles to transport them and their belongings to areas far away from the battlefields where all the facilities needed for a normal life were available.

150. With regard to the conscription of children, Iraqi legislation stipulates that compulsory enlistment applies to persons over 18 years of age.

Article 39

151. Further to what has already been mentioned concerning the establishment by the State of centres for the disabled, hostels for orphans and vagrants, cultural and artistic centres, sports clubs and other institutions, the State has also established centres for the rehabilitation of juveniles convicted of committing offences. The principal centres are listed below:

(a) The Surveillance Centre in which juveniles are detained, by order of the court or the competent authority, for purposes of a physical and mental examination and a study of their character and conduct by the Office for Character Studies in preparation for their trial;

(b) The Rehabilitation School for Preadolescents, a reform school in which preadolescents are placed for the period stipulated in the judgement with a view to their vocational or educational rehabilitation and social reintegration;

(c) The Rehabilitation School for Adolescents, a reform school in which adolescents are placed for the period stipulated in the judgement with a view to their vocational or educational rehabilitation and social reintegration;

(d) The School for Adult Youths, a school in which persons over 18 years of age are placed after being convicted with a view to their vocational or educational rehabilitation and social reintegration.

(e) The Juvenile Rehabilitation Centre in which juvenile vagrants or delinquents are placed, by order of the juvenile court, until they reach the age of 18 years.

152. The State provides social, educational and health services to safeguard the child's dignity and help the child to once again play his or her human role in society.

II. THE EFFECTS OF THE ECONOMIC EMBARGO ON THE RIGHTS OF THE CHILD IN IRAQ

153. A mandatory and comprehensive economic embargo was imposed on Iraq under the terms of Security Council resolution 661 (1990) of 8 August 1990. Although it did not apply to medical supplies and foodstuffs, in practice this exemption had no notable value since Iraq was denied any opportunity to obtain financial resources following the ban on its export of petroleum and the freezing of its assets abroad. In addition, Iraq was prevented from importing medical, laboratory and pharmaceutical requisites and various medicines that it had contracted to purchase and the price of which it had paid before 2 August 1990.

154. The economic embargo has affected all aspects of life and has delayed progress and development in all fields. Today, the Iraqi people, including both adults and children, can be said to be facing destruction and annihilation by a weapon that is just as lethal as weapons of mass

destruction, namely the economic embargo which has led to the deaths of about 1 million persons, including 646,194 children, from August 1990 to the time of preparation of this report.

155. This part of the report gives a brief account of the harm suffered by children in the health, educational, social and psychological fields.

A. The health sector

156. The serious deterioration in the public health sector has affected all its facilities due to the dire lack of medical spare parts and the shortage of medicines, medical requisites and laboratory equipment. Consequently, in addition to inadequate food, there are insufficient opportunities to obtain health care and this situation has led to a considerable decline in the standard of health services, as a result of which diseases caused by malnutrition, emaciation, vitamin deficiency and lack of calories have spread, particularly among children in the under-five age group.

157. The embargo has unquestionably had the greatest impact on children, bearing in mind the fact that they constitute 43.6 per cent of Iraq's population, as indicated in the report prepared by the United Nations emissary Sadruddin Agha Khan during his visit in the wake of the aggression against Iraq in 1991.

158. The UNICEF document E/ICEF/1994/P/L.23 published on 5 April 1994 confirmed that the situation of women and children in Iraq was still deteriorating. After the Gulf war, the infant mortality rate rose from 28 to 64 per 1,000 live births and the child mortality rate rose from 48 to 80 per 1,000 live births. According to the latest report of the Ministry of Health, the infant mortality rate has increased to 92 per 1,000 live births. The percentage of underweight infants (less than 2.5 kg) has increased from 5 to 21 per cent and diarrhoeal diseases have become the prime killer of children under five years of age. There has also been a notable and sudden increase in the incidence of acute respiratory diseases.

159. Reports prepared by the Ministry of Health, based on information gathered at health centres, have confirmed that the rate of natural breast-feeding has dropped to 60 per cent due to the malnutrition of mothers, who lack the nutrients, particularly those containing sugar, which are needed to increase lactation.

Children's weights

160. One of the most reliable indicators to ascertain the nutritional situation in any country is the establishment of children's weights and their comparison with the standard figures. Numerous studies have been carried out in this field in Iraq, in collaboration with international organizations, before and after the embargo. The most significant of these studies are mentioned below.

Before the embargo

161. In 1989, the Nutritional Research Institute at the Ministry of Health, in collaboration with FAO, carried out a comprehensive survey of Iraqi children from six to seven years of age. That survey provided the following indicators:

69 per cent of male and female children had normal weights in comparison with the standard international figures.

2 per cent were suffering from slight malnutrition due to the type, rather than the lack, of the food that they consumed.

12 per cent of male children were suffering from obesity.

9.6 per cent of females were suffering from obesity.

162. That survey was preceded by a similar survey, carried out by the same bodies in 1987, which showed that the weights of children aged zero to seven years fell within the established international averages.

After the embargo

163. The report by Prince Sadruddin Agha Khan, the Executive Delegate of the United Nations who visited Iraq in the first half of 1991, noted the following phenomena:

An increase in the incidence of stunted growth and emaciation among infants and a decline in the nutritional indicators;

The proliferation of malnutrition, which was severe and widespread in all governorates;

An increase in the incidence of diarrhoea and the lack of nutritional substitutes;

Iraq was on the verge of a severe famine due to the decline in food supplies and the increase in the incidence of malnutrition;

The sharp rise in the prices of foodstuffs and the decline in local food production;

The decline in agricultural production, bearing in mind the fact that, in good years, this production covered 20-25 per cent of the country's needs.

164. In May 1991, UNICEF carried out a survey at Basra, which provided the following indicators:

8.8 per cent of children were suffering from emaciation.

37 per cent of children in the town of Abul Khasib in the Basra area were suffering from malnutrition.

Pathological symptoms of the disease kwashiorkor (protein deficiency) had begun to appear.

165. In 1992, UNICEF carried out a second survey at Baghdad which showed that 9.2 per cent of children under three years of age were suffering from malnutrition.

166. A survey carried out in 1991 by an international team from Harvard University, which is regarded as one of the most significant studies carried out after the embargo since it covered all the governorates and was conducted without the participation of the Iraqi Government, showed that:

29 per cent of children under five years of age were suffering from malnutrition.

1,118,000 children were suffering from malnutrition.

21.8 per cent of children under five years of age were suffering from stunted growth.

167. A survey conducted in 1993 by an international team from FAO and WHO showed substantial increases in the incidence of malnutrition, which were as much as three times higher than the figures recorded by the Harvard University team. This survey also showed that:

The incidence of short height in relation to age had increased from 16 per cent to 30 per cent.

The incidence of low weight in relation to age had increased from 11.9 per cent to 35 per cent.

The incidence of low weight in relation to height had increased from 2.2 per cent to 16 per cent.

The weight of newborn children

168. A significant indicator for the assessment of the state of health and nutrition of expectant mothers and their newborn children consists in the fact that, whenever the weight of a newborn child is below 2.5 kg, the child is more prone to serious and possibly fatal health problems. The proportion of newborn children weighing less than 2.5 kg was about 4.5 per cent of the total number of births in 1990 and, after the embargo, this figure rose to 10.8 per cent in 1991, 17.6 per cent in 1992, 19.7 per cent in 1993 and over 20 per cent in the early months of 1994.

Diseases resulting from deficiency of nutrient elements

169. Iodine deficiency: Iodine is one of the nutrient elements the deficiency of which causes a number of diseases, such as thyroiditis, varying degrees of mental and physical debilitation, foetal death, miscarriage, stunted growth, dementia and malnutrition. Although the problem of iodine deficiency had been restricted to some areas of the country, the magnitude of this problem has seriously increased. A survey conducted at Nineveh in 1992

showed that the incidence of thyroiditis among women in the 9-45 age group had risen to 14.5 per cent and a more recent study conducted in 1993 in the governorates of Nineveh, Basra and Baghdad showed that the incidence of this disease among women had risen to 51 per cent and 44.24 per cent of children in the 9-12 age group were affected. This is a serious problem that requires a rapid and effective scientific solution.

170. Iron deficiency: Anaemia resulting from iron deficiency is a problem that is seriously affecting public health, physical development, behaviour and work performance. The incidence of anaemia has risen considerably as a result of the embargo and the most recent study conducted in the governorate of Nineveh in 1994 indicated that 53.3 per cent of pregnant women and 73.6 per cent of non-pregnant women were suffering from anaemia due to iron deficiency. According to the last survey conducted in 1994, 37 per cent of pregnant women were afflicted with acute anaemia due to iron deficiency and more than 85 per cent of pregnant women exhibited symptoms of mild anaemia. The prevalence of these high rates of anaemia might be attributable to the acute scarcity of food, particularly meat and fish, and their high prices due to the ongoing embargo.

171. Vitamin A deficiency: This causes night blindness and possibly loss of sight. No case of vitamin A deficiency was recorded in Iraq before the embargo. However, numerous cases of night blindness and corneal xerosis have been recorded in the governorates of Baghdad and Basra by the international teams which visited Iraq and endeavours are being made, in collaboration with UNICEF, to determine the incidence of this disease.

172. The monthly average number of children under five years of age suffering from malnutrition rose from 41 in 1990 to 9,797 in 1994 and the incidence of emaciation due to malnutrition rose from 433 cases in 1990 to 16,006 cases in 1994. The incidence of the disease kwashiorkor (protein deficiency), which had been non-existent in Iraq for many years, currently amounts to 1,744 cases per month.

Incidence of contagious diseases

173. Following the imposition of the economic embargo on Iraq in 1990, the incidence of contagious diseases increased as follows:

The number of cases of poliomyelitis recorded in Iraq amounted to 10 in 1989 and rose to 186 in 1991, thereby compelling the health authorities to launch a comprehensive vaccination campaign which reduced the number of cases to 53 in 1994.

The number of cases of diphtheria among children rose from 96 in 1989 to 239 in 1993.

The number of cases of measles rose from 5,715 in 1989 to 6,399 in 1993 and the number of cases of German measles likewise rose from 514 in 1989 to 928 in 1993.

The incidence of neonatal tetanus rose from 42 cases in 1989 to 171 cases in 1993.

The incidence of mumps rose from 9,639 cases in 1989 to 46,961 cases in 1993.

With regard to typhoid, cholera, amoebic dysentery and hepatitis A, which are transmitted through contaminated water and food, the incidence of these diseases rose at an abnormal rate from 0 to 1,217 cases in 1991, 976 cases in 1992 and 825 cases in 1993.

The incidence of meningitis and malaria rose from 3,428 cases in 1989 to 4,581 cases in 1993.

The incidence of Baghdad boil and blackwater fever rose from only 372 cases in 1989 to 3,145 cases in 1993.

The incidence of Malta fever rose from 2,464 cases in 1989 to 14,546 cases in 1992 and 14,989 cases in 1993.

Laboratory diagnostic tests

174. Laboratory tests are an important factor in ensuring the accurate diagnosis, proper treatment and full cure of children and preventing the appearance of complications and disability. The embargo has had a direct impact through the non-availability of laboratory diagnostic equipment, which is poorly maintained, technologically out of date and not replaced when damaged. Laboratory tests include biochemistry, bacteriology, blood tests, blood bank tests, serology and the examination of cross-sections of tissue, etc. The monthly average number of tests amounted to 1,494,050 in 1989 and declined by 61.4 per cent to 576,225 tests in 1993.

Major surgical operations

175. Due to the lack of medicines, and particularly anaesthetics and other surgical requisites, the monthly average number of major surgical operations on children and adults of both sexes declined by around 65 per cent from 15,125 operations in 1989 to 6,507 in 1991 and, subsequently, to 5,205 in 1993. In August 1995, the total number of surgical operations amounted to 5,348.

Health services

176. The embargo has led to a dire shortage of basic medicines, medical requisites and some vaccines and serums used for preventive and therapeutic purposes, as well as antibiotics and medicines for the treatment of diabetes, thalassemia, cancer, chronic diseases, epilepsy, kidney disorders, heart diseases, high blood pressure and lack of natural milk for breast-feeding. It is impossible to import auditory and visual aids and the wheelchairs and crutches used to help disabled persons are not available.

177. During the war in 1991, hostile air raids destroyed 28 hospitals, 45 health centres, medical schools and colleges, 8 sanatoriums, 4 laboratories and pharmaceutical warehouses and 5 pharmacies in violation of article 18 of the Fourth Geneva Convention of 1949, which prohibits the military targeting of civilian hospitals.

Endeavours of the State to mitigate the effects of the economic embargo on mothers and children

178. Further to our comments on article 24 (paras. 85-91 of this report), the Ministry of Health, in collaboration with UNICEF, has prepared a country-wide child welfare plan covering the period from mid-1995 to the year 2000. The plan includes activities and endeavours to mitigate the effects of the embargo on children in the health, educational, cultural and environmental fields and will be implemented in three chronological stages, the first being mid-1995, the second 1995-1997 and the third 1997-2000.

179. A country-wide campaign to prevent acute diarrhoeal and respiratory diseases in children under five years of age has reduced the wastage of medicines, increased the capabilities of medical and health personnel and broadened the knowledge of mothers in this regard.

180. In March and April 1995, a country-wide campaign was carried out to vaccinate all the country's children under five years of age against poliomyelitis. More than 3,250,000 children were vaccinated and the campaign will be repeated in 1996 with a view to eradicating poliomyelitis by 1997.

181. Intensive health campaigns have been carried out to vaccinate children who dropped out of previous vaccination campaigns and to monitor children and mothers who were not covered by the services of the maternal health programme.

182. Intensive health campaigns have been carried out to improve the epidemiological detection and monitoring of contagious diseases with a view to preparing an epidemiological map showing the status of primary health care. This has made it possible to avoid the epidemic spread of diseases such as malaria, measles, neonatal tetanus, cholera, typhoid fever and amoebic and bacillic dysentery, etc.

183. During the academic year 1994/95, two school health service campaigns were carried out to monitor the health of children newly enrolled at kindergartens, as well as that of students in the first primary and first intermediate grades, female students newly enrolled at nursing schools and students attending centres for the disabled and social welfare institutions. More than 80,000 kindergarten pupils and 1,250,000 students throughout the country were examined.

184. A country-wide campaign has been carried out to monitor the state of health and nutrition of children at nursery schools. During this campaign, 126 government and private nursery schools were visited, 8,398 children under four years of age underwent clinical and nutritional examinations and 1,207 female employees and 764 teachers at nursery schools were also examined.

185. Primary health-care centres have undertaken the following endeavours:

(a) To ensure that at least 90 per cent of the target groups for care services (infants, children, expectant mothers and mothers who have recently given birth) are covered;

(b) To ensure that 90 per cent of births take place under the supervision of trained personnel;

(c) To ensure that at least 80 per cent of children and expectant mothers who are at risk are covered by the services of advisory clinics for pregnant women and children;

(d) To ensure that not less than 90 per cent of children born with normal weights (2.5 kg or more at birth) are covered;

(e) To promote family planning and prevent closely spaced pregnancies and pregnancies that are excessively early or late;

(f) To protect pregnant and nursing mothers from iron, iodine and vitamin deficiency;

(g) To increase the percentage of children under six months old who are breast-fed and ensure that 85 per cent of children continue to be breast-fed and receive supplementary nutrition for a further six months or longer;

(h) To conduct health and nutritional awareness campaigns for women of childbearing age, with emphasis on natural breast-feeding and weaning foods;

(i) To train at least 500 midwives (unlicensed nurses);

(j) To train medical, health and auxiliary staff working at health institutions in the maternal and child health programme;

(k) To ensure that all children at nursery schools, as well as students in the first primary and first intermediate grades, undergo periodic medical examinations and that the maintenance of a hygienic environment at their institutions is monitored.

186. In 1994, about 80 per cent of newborn children and pregnant women received three periodic examinations at primary health-care centres throughout the country.

B. The educational sector

187. The effects of the iniquitous aggression against Iraq in 1991 and the economic embargo have had serious repercussions on the educational process. Some aspects of the damage suffered by this sector are listed below:

Provision of academic requisites and buildings

188. The implementation of agreements for the supply of academic requisites by foreign companies has been suspended.

189. The implementation of a contract concluded in 1990 for the import of 11 million dinars' worth of paper for the printing of school textbooks has been halted.

190. The Security Council's Embargo Committee has refused to release $10 million of Iraq's frozen assets abroad to meet the requirements of the major national religious campaign for the teaching of the Holy Qur'an. The Committee has also refused to permit a Pakistani company to supply Iraq with a quantity of lead pencils used by pupils and students in their studies.

191. It has become difficult to supply school chairs for students due to the non-availability of the raw materials needed for their manufacture and it has likewise become difficult to supply other educational requirements such as blackboards, pens, chalk and school copybooks. School textbooks have to be used more than once due to their acute scarcity.

192. The plan for the expansion of school buildings, in which provision was made for 3,973 new schools during the period 1990-1996, has been totally suspended.

193. The project for the renovation of 9,613 school buildings has proved difficult to complete, particularly since 1993, due to the impossibility of providing the materials needed for their renovation.

194. Implementation of the projects for the construction of 45 vocational education school buildings, 2 agricultural schools and 19 commercial schools has been halted.

195. Implementation of the expansion of 76 workshops attached to vocational schools and 5 wings at those same schools has been halted.

196. Implementation of the plan for the construction of more vocational education workshops at intermediary schools has been halted.

197. The damage suffered in the children's cultural sector has led to a severe shortage of artistic and cultural production requisites. The number of children's books published declined from 120 in 1989 to 30 in 1991 and 5 in 1993. The number of children's magazines has also been reduced and the number of children's programmes broadcast by Baghdad television stations has been halved.

School drop-outs

198. Large numbers of children have dropped out from kindergartens and schools for various reasons, including high transport costs, the failure to provide school meals and the lack of entertaining games and educational aids. Students engage in odd-jobbing in order to help their parents or guardians to meet the costs of food, clothing and other daily requirements.

199. In the academic year 1994/95, the number of drop-outs from kindergartens amounted to 159,075, the number of drop-outs from primary education amounted to 86,413 and the number of drop-outs from secondary education amounted to 62,345. In the same year, the number of children enrolled for compulsory education at primary schools dropped to 3,392,560, although plans had been made to enrol 3,745,532 students. The number of male and female student drop-outs from primary and secondary education amounted to 627,672 and 286,998 respectively.

Provision of specific requisites

200. It has been difficult to provide specific academic requisites requiring the allocation of large amounts of money which the State cannot afford because of the embargo. For example:

1.5 billion dinars for the maintenance of laboratories and educational aids.

108 million dinars for vocational school library systems.

231.8 million dinars for the maintenance of vocational education departments.

The production of school furniture has declined to 3,430 items, although it comprised 9,124 items before the aggression. It is difficult to provide training requisites due to the impossibility of procuring machinery, equipment and spare parts and allocating the funds needed for that purpose, which are estimated at 40 million dinars.

Provision of manpower

201. In the academic year 1994/95, the deficit in male and female teaching personnel at all levels amounted to 121,052 teachers and the vocational education sector also had 1,000 unfilled posts. In 1994, the number of primary and secondary school teachers who dropped out of the education system amounted to 1,918.

External cultural relations

202. Most of the cultural agreements concluded between Iraq and other countries of the world have been frozen. There has been a decline in participation by Iraqi researchers and scientists in the activities of international cultural committees.

203. Many Iraqi schools outside Iraq have been closed.

204. In the academic year 1993/94, the number of foreign students attending Iraqi educational institutions declined from 520 to 209.

205. The practice of sending Iraqis to study abroad has also been halted.

Humanitarian and health services

206. The embargo has led to the emergence of cases of malnutrition, since the number of calories per capita has declined to 1,736, as compared with 2,306 calories per day before the aggression against Iraq in 1991.

207. It is difficult to provide basic services (drinking water, cleaning materials, heating and air conditioning, etc.) and this has facilitated the proliferation of diseases and epidemics among schoolchildren.

208. It is difficult to provide means of transport for students and teachers, particularly in remote districts (villages and rural areas).

C. The social sector

209. The effects of the economic embargo on children are highlighted by the following phenomena:

(a) An increase in the phenomenon of early employment among children. A field study has shown that this is the most significant social phenomenon that appeared after the embargo, since the ages of the children engaged in odd-jobbing ranges from 6 to 15 years and most of them are practising occupations which the Juvenile Welfare Act designates as legally punishable vagrancy (see our comments in para. 121);

(b) An increase in the phenomenon of begging and children working in the streets, which poses a danger to the future of these children since the prospect of earning money lures them away from their studies and might induce them to commit misdemeanours or other offences in order to gain even more money. They might also be exploited by perverts seeking to induce them to engage in legally prohibited acts;

(c) An increase in the number and diversity of offences committed by juveniles since 1990. Most of the juveniles who are convicted and placed in rehabilitation schools are adolescents from 15 to 18 years of age. In 1994, they numbered 1,002 out of a total of 2,851 convicts (i.e. 32.14 per cent as compared with a figure of 18 per cent in 1990);

(d) The number of persons benefiting from the State-run child welfare hostels declined from 1,190 in 1990 to 905 in 1995 due to the war, the damage suffered by a large number of hostels and the impossibility of providing the resources and requisites needed to ensure their continued operation;

(e) A reduction in the number of persons benefiting from centres for the disabled (14 per cent less than in 1990) and a decline in the number of persons examined at the Disability Diagnostic Centre (3 per cent less) due to the low standard of the educational and nutritional services provided at those centres, in addition to the impossibility of providing the financial resources and requisites needed to ensure their proper operation;

(f) The inadequacy of the allowances paid to families entitled to social welfare benefits, of which children are the main beneficiaries, since the allowances paid to families do not cover their basic needs in view of the high cost of living due to the ongoing embargo.

D. The psychological effects on the behaviour of children

210. The effects of the embargo are not confined to the physical aspect. A field survey undertaken by Mustansiriya University at Baghdad and supervised by the Iraqi Child Support Association clearly showed that the adverse psychological consequences of the embargo on Iraqi children were just as severe as its physical consequences. The survey, which took a whole year to

complete and ended in March 1993, was based on a sample of 2,000 male and female children from 50 schools dispersed throughout the city of Baghdad. Its findings were as follows:

(a) There was an increased feeling of fear and anxiety due to the child's exposure to frustration and repression. Children's anxiety is usually expressed through tears and insomnia and, according to Fisher's formula (probable average), the incidence of this condition amounted to 22.2 before the embargo and increased to 49.4 after the embargo.

(b) There was an increased desire to acquire and possess things due to the fact that children were deprived of their basic needs (particularly toys). The incidence of this amounted to 20.9 before the embargo and increased to 48.8 after the embargo. This state of affairs led to the emergence of the phenomenon of theft among children, particularly in regard to money, academic requisites and food.

(c) There was an increase in excitability and irritability, the incidence of which amounted to 21.7 before the embargo and 47.4 after the embargo.

(d) There was an increase in lying among children, the incidence of which amounted to 24 before the embargo and 51.9 after the embargo.

(e) There was an increase in aggressive behaviour in some children, the incidence of which amounted to 22.5 before the embargo and increased to 43.9 after the embargo due to frustration, deprivation of desired items and hunger.

(f) There was an increase in the incidence of insularity and social introversion, which amounted to 21.6 before the embargo and increased to 40.6 after the embargo.

(g) The incidence of the phenomenon of falling asleep during studies increased from 18 before the embargo to 33.7 after the embargo due to the fact that children were deprived of proteins and vitamins, particularly vitamin B and iodine.

(h) The incidence of loss of self-confidence increased from 22.3 before the embargo to 40.1 after the embargo due to fear and the disturbed family environment.

(i) The degree of difficulty that children experienced in concentrating and paying attention increased from 22.3 before the embargo to 50.9 after the embargo. The degree of difficulty in assimilating and understanding increased from 25.2 before the embargo to 50.7 after the embargo. The degree of difficulty in remembering increased from 25.7 before the embargo to 49.7 after the embargo.

(j) The incidence of ill-treatment of children by their families increased from 21.6 before the embargo to 42.5 after the embargo due to the problems that families were experiencing, particularly the impossibility of

providing adequate and appropriate food and clothing for children, which usually led to juvenile delinquency and a feeling of deprivation and mental anxiety.

211. A survey conducted by the Harvard team in 1991 showed that the embargo was having an evident effect on Iraqi women, 57 per cent of whom were suffering from pathological and psychological symptoms such as mental anxiety, depression, irritability, insomnia, loss of weight and headaches which, in turn, affected the behaviour of their children. The same study showed that 86.7 per cent of children were constantly thinking of the war, 79.4 per cent were fearful and uneasy about the war, 75 per cent felt sad and miserable and four out of every five children expressed fear about losing their families.

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